BAR BULLETIN

PUBLISHED BY THE LOS ANGELES BAR ASSOCIATION

LEADING ARTICLES

MEMBERS DINNER MEETING ◆ University Club

MAY 25, 1939 6:30 P.M. Dinner $1.50

Program Extraordinary!

Mr. J. P. McEvoy, Distinguished Humorist, Author, Playwright.

Also: Frank Watanabe and The Honorable Archie.

Vol. 14 *MAY, 1939* *No. 9*

BAR BULLETIN

Official Monthly Publication of Los Angeles Bar Association. Entered as second-class matter May 5, 1938, at the Postoffice at Los Angeles, California, under Act of March 3, 1879.
Subscription Price $1.00 a Year; 10c a Copy

VOL. 14 | MAY, 1939 | No. 9

A CALL FOR HELP

By Allen W. Ashburn, President of Los Angeles Bar Association

UNTIL recent years—1937 and later—legal aid was administered in this community as an adjunct to the Law School of the University of Southern California and served as a training ground for law students as well as a relief agency for the indigent. But the demands grew so fast that the Law School found itself unable to longer carry the heavily mounting burden, which, indeed, belongs to the community at large. So in the year 1937 the Los Angeles Legal Aid Foundation was formed as a charitable organization; it has subsequently functioned independently as such. The Community Chest has, both before and since the creation of the Foundation, contributed to the work; but its allocations have never been enough to provide the bare necessities of the organization. The Los Angeles Bar Association, through voluntary donations of its members, has supplied the greater part of the deficit in the past. But that additional aid was not enough to furnish the man power to handle the growing demand.

And so we recently set up a panel of Junior Barristers who rotate in service at the Legal Aid offices and furnish assistance which the paid force of the Foundation is inadequate to meet. A Committee for Consultation on Legal Aid has also been created, the members of which are mature, seasoned lawyers, who are available for consultation at any time a Junior may feel the need of advice from an older head on any Legal Aid problem. Thus the needs of the poor are served, they are protected from the inadequacies of inexperience, and the Junior Barristers receive valuable training. The system is working satisfactorily. But it is supplementary to the regular staff. And the rent, telephones, stenographers, full-time lawyers, etc. must be paid or the whole service will break down. The Community Chest contributions do not suffice. Indeed, this year's allowance, although it started on a par with the last, was substantially reduced in February, and another cut is contemplated in the near future. The Foundation is now running at a substantial loss with no rescuer in sight except the Los Angeles Bar Association. This burden is historically, ethically and practically that of the lawyers and particularly of the members of the Association, who have voluntarily and cheerfully assumed it.

We have in the past tried out two different means of supplying the need. On one occasion we called for money or service in kind. Little money was received, but many proffers of services. Those proffers did not yield much fruit. Except as conducted in an organized fashion,—in the manner of the Junior Barristers' panel—the contributions of service in kind do not prove adequate or satisfactory. It seems quite obvious that, in a large city like this, little more should have been expected. The lawyers are grouped down town, miles from the homes of needy clients, who know no lawyers and no way to turn except to the Legal Aid. Its references to outside lawyers proved disappointing. Such services lacked the quantities of coordination, continuity and immediate availability. That experiment was a failure. Last year we made an appeal for cash contributions, with good response and effective results.

Shortly our Legal Aid Committee will address to you an appeal for contributions to a fund which will be advanced from time to time, in the discretion of the Board of Trustees, to or for the Foundation. Voluntary services will not suffice; your $1.00 annual membership (if any) will not serve to exempt you from this call; your official position as judge or as executive officer gives you no immunity. The need is real; it is urgent.

Will you help?

A. W. ASHBURN, President.

EDITORIAL—

"JUSTICE DELAYED IS JUSTICE DENIED"

ONE of the causes, if indeed it is not the paramount one, of the criticism of the Bar and the growing public censure of Courts, is the delay in bringing cases to trial and in determining necessary appeals.

No matter how cogent the reasons for delay may be they do not impress the litigant who expects and is entitled to have his case promptly tried and speedily decided. He does not understand why it should take months to get a trial date, and when his case is tried by a judge sitting without a jury, why a decision cannot be had at once. It does no good to explain. He handles his own business with dispatch, and expects lawyers and courts to do the same.

Because he does not get action Mr. American Businessman has lost a lot of faith in both lawyers and Courts. So much so, in fact, that he is collectively turning away from Courts and seeking prompter and less expensive means of settling his disputes. Blind indeed is he who does not see this; or, seeing it, unwise if he does not recognize it.

There is another phase of the problem of far greater import to every good citizen. We have referred to the Businessman's loss of confidence in lawyers and Courts. But how about the Little Man—the great mass of our citizenry? It is manifest that the result of his loss of respect for law and Courts is fast tending to sap the very structure of our Government. It leads, in turn, to subversive influences and activities that seriously concern all of us.

That was a significant statement made by Senator McCarran who recently came to Los Angeles to investigates the needs of the Federal Court in this jurisdiction for more judges to handle the growing volume of cases brought before it. It indicated how Washington regards the situation. He said:

"There is nothing more important in our form of government than to maintain in the hearts and minds of the people a high regard for the courts and the judges, and in order to maintain that regard there must be celerity and expedition in disposing of controversies which the citizenry bring to the courts for final determination. *Justice delayed is Justice denied.*"

Lawyers and judges should read that statement twice—and ponder.

LEGAL SERVICE TO LOW INCOME GROUPS. USE OF TAX MONEY

By Louis B. Stanton, of the Los Angeles Bar

IT IS an economic truism that tax monies raised from the people as a whole should be utilized solely for the benefit of the people as a whole. THE BULLETIN editorial, in its April issue, when it referred to the report of the American Bar Association, itself solved the question it makes.

The report of the Committee on the Economic Condition of the Bar states that there is:

> ". . . growing evidence that people in the low income groups frequently go without legal assistance because they cannot afford to pay for it, or because they distrust lawyers, or do not know any lawyers, or do not know when they need advice. In these circumstances we think it imperative that the Bar should take action both to get at the facts more fully and to experiment with remedies.
>
> "We hope, among other things, that experiments in the way of setting up legal service bureaus under Bar Association auspices, to render low cost and efficient specialized service to the low income groups, may be undertaken, together with organized Bar Association advertising. We do not believe that the merits of these or other proposals can be finally determined until they have been tried out here and there in practice, and it seems to us that the time has come to be bold in striking out along new paths of group effort which, if properly safeguarded, will not impair either the traditional independence of the lawyer or the dignity of the profession."

The substance of this report points to the work of the Special Committee on Legal Clinics. The report of this committee shows that the committee had a part in the survey in Connecticut relating to legal clinics, and further states:

> "Contact was also made with the WPA Research Project supervisors and it is believed that they are favorably disposed toward any further research project on a subject which is soundly set up to yield reliable data. The data thus far available to your committee suggests that there is a need for some Bar-sponsored and Bar-organized, non-profit provision of lawyers, services for clients who can pay something, but cannot meet the full current fees. Doubt must still exist as to where and as to what and as to the degree of the need."

Two definite, clean-cut demands on the organized Bar are pointed out in these reports. Each is found to be so mingled with the other as to require, in the judgment of the Committees, a solution for both. The first of these demands is an economic survey of the Bar itself. "Know thyself" is the great commandment. The second of these demands is that the organized Bar take immediate and practical steps to assure to every American citizen protection for his rights.

DIFFERENT

The problems of Southern California are essentially different from those of the Eastern States where the research noted in the reports has taken place. Our State Bar shows that the number of lawyers in active practice in Los Angeles is exceptionally high in proportion to the population and that this ratio is higher than the ratio existing in the great majority of cities in the United States. It is true that many of these lawyers have independent incomes and participate in practice only occasionally. On the other hand, we all know lawyers who have ceased to maintain offices. Where they have gone we may not know. We all know newly admitted lawyers who seek locations. Whether or not they find such we may not know. It is true, as THE BULLETIN editorial states, that it is doubtful whether the profession in this county is in such straits that it will encourage a project on the line of the New Jersey experiment. However, we have no

definite or accurate information either on this subject or any other subject relating to the present economic condition of the Bar.

Generally speaking, it is true that the lawyer who does not possess the native intelligence, determination and resourcefulness to solve his own problems and make his way in the profession, within the lines of ethical practice, thereby demonstrates that he does not possess the essential qualities which would authorize him to hold himself out to aid others in their difficulties, but there has come about a great economic change. It is questionable whether what we refer to as normal times, as they existed prior to 1929, will ever return. There is a school of thought which considers that the present times must continue and that the reduced standard of living which the last ten years have brought is to continue. It is unquestionably true that during the past ten years there has been a great change in the practice of law than has occurred during the hundred years theretofore. It is likewise true that the continued lowered economic conditions, law practice of a constructive nature has immeasurably decreased.

What effect all of these conditions have had upon the economic condition of the Bar is a fact unknown. Each of us judges things largely in accordance with his own practice, but we have very little knowledge in a large Bar, such as we have, of that which is happening to many of the others. It is imperative that our Bar Association conduct an active and impartial survey in order to obtain the facts so that the lawyer may, indeed, know himself; so that the lawyer, young or old, seeking a location here, may be properly advised; so that those actively in practice may have proper guidance in the maintenance of this practice, and so that we may know what we can and will do as to the solution of our duty to the public in supplying it with justice at reasonable cost.

SERVICE

Our Association is indeed the most progressive in the country. It has instituted one of the finest programs of service to the lawyers of any of the nation, but forward-thinking lawyers are beginning to point out that the great responsibility of the Bar Association is not primarily to its members, but to the great public upon which the Association, through its individual members, must in the last resort depend for its support.

Justice Stone, of the United States Supreme Court, recently stated:

> "Our profession has not succeeded very well in discharging its duty to provide the opportunity for the common man to secure justice at a reasonable cost."

President Frank J. Hogan, in his inaugural address to the American Bar Association, called upon lawyers of the nation to take immediate and practical steps to assure to American citizens, rich and poor, protection for their rights.

Unauthorized practice of law has been decreased. The ambulance chaser and the adjuster of claims have very much subdued their activities. By the suppression of this unlawful practice of law by lay agencies, we have taken from the public sources by which it could and did acquire a certain amount of aid at very low apparent cost. As lawyers, we appreciate that this low cost was only apparent; it was out of our desire to serve the public that these lay agencies were suppressed.

The literature of the Bar Associations is replete with our professions of a desire to serve the public; with our solicitude for the public welfare; with our rightful position as leaders of the public. But our public is a practical public. It sees us requiring the banks to refrain from drawing wills without charge and title companies refer escrows to lawyers. It sees the bills to define the practice of the law and considers we are seeking to monopolize the drafting of all legal documents for our own benefit. We are correct in our requirements, but a correlative obligation arises to replace to the public that which we take away. It is our bounden duty as officers of the Court, as ministers of justice and as leaders of the country, to provide to the public legal advice

and services at a cost which any American citizen under present economic conditions can afford.

This unquestionably is too great a financial burden to be borne by the lawyer himself. It is doubtless too great a burden to be borne by the Bar Association. The protection of the American citizen in his inalienable right to life, liberty and the pursuit of happiness; to the right which our forefathers guaranteed in our Constitution, is a proper application of public tax monies. Every day shows us that the need is pressing. The proper method can be finally determined only by the ancient method of trial and error. But "the time has come to be bold in striking out along new paths of group effort" to lead the public, merit its approbation and maintain the independence of the lawyer and the dignity of the profession.

The reports of the American Bar Association Committees have pointed the way to the use of public tax monies for the benefit of the public and the discharge of this obligation to the public which the organized Bar owes.

It would seem, therefore, that organized effort should be made to obtain funds to undertake an examination of the economic condition of the Bar, and in connection therewith, to establish Bar-supervised and Bar-organized, non-profit bureaus for clients who can pay something, and thus discharge our duty to the American public to give to every American citizen, either poor or rich, the protection of his rights; that for these high purposes our Los Angeles Bar Association make application for public tax monies and solve these great and vital problems.

W. P. A. AND LAWYERS

To the Editor of the Bulletin:

I note in the April Bulletin the unique W.P.A. project of the New Jersey Bar Association which has disbursed $250,000 to needy lawyers in 21 months; that the Association contributed $1500, and the projects have provided 9743 man-weeks of employment; that further projects are under way.

I commend your comment that the Bar has not, as a whole, looked with much favor on the spending of public money on such projects, or encouraging the growth of bureaucratic government, realizing, no doubt, that once a public agency is established it is almost impossible to end it.

The comment is pertinent. The temporary expedients of the present Washington administration which have continued, and give promise of permanence, are enough to emphasize The Bulletin's appreciation.

Moreover, however worthy, the W.P.A. idea is not the final solution of the unemployment situation any more than continuing borrowing, whether individual or national, is the permanent cure for debts, hard times, depressions and panics.

In our case as lawyers, the present situation is aggravated by the deadly conservatism with which we neglect intelligent efforts to stop the leakages that are draining our proper reservoir of employment. Indignant at the law's delays the business world is more and more completely, as time goes on, turning away from our profession and seeking redress of grievances through other channels. The most alarming of these trends now is the possibility (even probability) of personal injury cases being monopolized by arbitration tribunals which will have no use for lawyers.

And this trend will increasingly go on until the bar turns its serious attention to simplifying our procedure. As long as we are bogged down in ancient precedents, hocuspocus fictions and technical and rule-ridden pleadings, the movement will continue to grow.

There may be other solutions evolved for easing the present financial tension among lawyers, but unless we develop sense enough to attack the obvious obstacles to our prosperity as a whole these efforts at solution will come far short of meeting the emergency.

Fred H. Taft.

FABLE OF THE PERFECT PARTNERSHIP AND THE DISSATISFIED HELPMEETS

By Richard C. Heaton, of the Los Angeles Bar

NOTE: Lawyers of the United States who have rejoiced in the picture of the English practice drawn by the pseudonymous "O" in his "Final Forensic Fables" and "Further Forensic Fables" will discern here an adaptation of the form of those essays. With apologies to "O," therefore, this trifle is presented to the bar as the first of a series of "American Forensic Fables."—R. C. H.

ONCE UPON A TIME there were two lawyers engaged in the Practice under the firm name and style of Cogitate & Advocate. Theirs was a Perfect Partnership. Both were Competent Lawyers in every respect, but their individual Talents, Tastes and Temperaments so Complemented each other that their association was a Natural. Each liked best to do what the other liked least. Cogitate was a Profound and Indefatigable Student of the Law. Advocate was a Brilliant and Effective Speaker. Cogitate was an excellent Office Lawyer; Advocate was an eminent performer in Court. Cogitate liked nothing better than to Dream Up Schemes for winning lawsuits; Advocate liked nothing better than Putting Them Across.

Advocate was, of course, the Front Man. There was no one at the Bar with more Personality. He liked People and People Liked Him. He just Couldn't Help attracting Great Hordes of Clients of the Right Sort.

Cogitate was, of course, the Man behind the Scenes. He enjoyed Legal Research and was Never Happier than when making a thorough analysis of a client's Problems. He was a Great One for Detail and a Careful Scrivener. He had a Head for Figures and Knew How to Charge for the Firm's Work.

Besides being Perfect Partners, Cogitate and Advocate were the Best of Friends. Each felt that the other Did More than his Share of the Work. There was Never Any Question about the division of profits except that each tried to get the other to take a Larger Share. Cogitate used to Thank God that he had a man like Advocate to Get the Business and Try the Lawsuits; Advocate used to Thank God that he had a man like Cogitate to Prepare the Papers and Handle the Office Work. They enjoyed Being Together and Working Together. They Made Money and had a lot of Fun doing it. They rose to Great Heights in the Profession and came to be regarded, when thought of as anything but a Unit, as an Inseparable Combination like Pat & Mike or Ham & Eggs.

And then each partner took unto Himself a Wife. Things went along Swimmingly for awhile, but it Wasn't Long until each of the Girls conceived that it was her Duty to Open Her Husband's Eyes. Mrs. Cogitate began to demonstrate to Cogitate that he Did All the Work while Advocate just Played Around and got all the Glory. Mrs. Advocate began to point out to Advocate that he Did All the Work while Cogitate just Sat Around the Office and Read.

At first the Boys didn't pay much Attention to this kind of Chit-chat but pretty soon it Began to Get Under their Skins. Each began to think that maybe his wife Had Something There. Distrust and Doubt began to Rear Their Ugly Heads and Rumor Had It that Cogitate & Advocate were Splitting Up.

One evening, at the close of a day when the Boys had been working very hard and were very tired, Mrs. Cogitate greeted her Husband with the News that she had Bumped Into Mrs. Advocate that afternoon and noticed that she was wearing a Whole New Outfit. This Got Her Started and she Gave Him the Works, emphasizing the Squalor of their own Poverty and Insisting that he have a Showdown with Advocate. Almost the same Scene was Enacted the same evening in the Advocate home,

for Mrs. Advocate had noticed that Mrs. Cogitate was driving a New Car. She, too, Wound Up by demanding a Showdown between the Partners. To show how Serious the Girls Really Were, it will Suffice to say that each concluded her Tirade with a threat that, Unless Something was Done, she was Going Home to Mother.

The Next Day the Boys, being Dutiful Husbands, Considered the Situation. They realized that Things Couldn't Go On as they were. They were Struck by the fact that they were Growing Apart and recognized that the Success of the Firm was At Stake. They were Dumfounded, upon Comparing Notes, to learn that their spouses had made identical threats about Going Home to Mother.

So they let them go.

MORAL: THE MOTHER OF A BASTARD IS ENTITLED TO ITS CUSTODY.

STATE BAR CONVENTION DELEGATES
L. A. BAR ASSOCIATION'S APPOINTMENTS

THE State Bar convention which meets at Del Monte in September, will undoubtedly have many matters of importance brought up to it from the Conference of Bar Delegates.

The Los Angeles Bar Association has already appointed its 35 delegates, among whom are six representatives of the junior section. The delegation will be called upon to hold many meetings prior to September to consider all proposed changes in procedural law that will be submitted through the State Bar and local associations throughout the state. Mr. Arnold Praeger will be the chairman of the delegation, and Betty Marshall Graydon the secretary.

Following is a list of the delegates:

Arnold Praeger, Chairman
Betty Marshall Graydon, Secretary
Frank B. Belcher
John R. Berryman
George M. Breslin
Ray Chesebro
Joe Crider, Jr.
I. B. Dockweiler
Herbert Freston
Hallack W. Hoag
H. Sidney Laughlin
Warren Libby
Michael G. Luddy
Alexander Macdonald
J. C. Macfarland
C. E. McDowell
Ewell D. Moore
J. W. Mullin, Jr.
Paul Nourse
Isaac Pacht
Julius Patrosso
Maurice Saeta
Maurice Sparling
Norman Sterry
David Tannenbaum
A. W. Ashburn
Robert E. Ford (Junior Section)
W. Joseph McFarland (Junior Section)
Stanley Jewell (Junior Section)
James C. Ingebretsen (Junior Section)
Ned Marr (Junior Section)
John Morrow (Junior Section)
L. W. Beilenson
Harry J. McClean
Roy V. Reppy

DEFENSE OF NEVADA DIVORCES BY A NEVADA LAWYER

THE BULLETIN has received a letter from Mr. Harlan L. Heward, of the Reno, Nevada, Bar, commenting upon a recent article in this publication, in which he says in part:

My attention has been called to an article appearing in the Los Angeles BAR BULLETIN on the subject of Nevada and Mexican divorces, by Mr. Francis D. Tappaan. I am inclined to the view that the article in question is open to criticism both from a viewpoint of practical application and also from the viewpoint of the legal situation.

In the first place, does not Mr. Tappaan discuss theory pure and simple as opposed to practical application? He must know that hundreds of prominent persons have been divorced in Nevada. A great many of these persons have since remarried. They would not have secured a Nevada divorce had they not secured advice from able California counsel. To say that they are now living in adultery and subject to bigamy prosecutions is to convict the District Attorney of Los Angeles County of dereliction of duty. From a mere recital of the factual situation it would seem that Nevada divorces achieve the desired result.

Next let us take up the theory as expounded by Mr. Tappaan. It must be remembered that there are two types of divorce. First the default decree and second the appearance decree. In discussing default decrees, the *Broder* case, 10 P.(2d) 182 is cited. From the facts recited in the opinion it is shown that Broder left Nevada immediately after filing his action and did not return until three months later when he secured the decree and that after immediately leaving, he never returned to Nevada. Under the circumstances the Appellate Court held that the trial court committed no abuse of discretion in its findings.

Mr. Tappaan ignores two other cases more recently decided in which Nevada default decrees were upheld by the California Appellate Courts. The first of these, *Cardinale v. Cardinale,* 60 P(2d) 997, was decided by the Supreme Court of California. In that case the decree was secured upon publication service. The Supreme Court however held that when a Nevada court grants a decree based upon a finding of domicile there is a presumption of validity of the decree which places the burden upon the party attacking it and that where the trial court held that the burden had not been met, its findings in that respect are binding upon appeal.

Also Mr. Tappaan ignores the case of *Chirgwin v. Chirgwin,* 79 P.(2d) 772, a case arising from Los Angeles County and being decided upon May 24, 1938. In that Nevada divorce action, constructive service only was had upon the defendant. She failed to answer or appear therein. After securing a Nevada decree, the husband moved to California. The court held that the courts of California are bound to recognize the termination of the matrimonial status rendered by the Nevada decree and further held that the findings of the trial court in reference to residence were binding upon the Appellate Court.

Mr. Tappaan cites the old case of *Andrews v. Andrews,* decided by the United States Supreme Court in 1903 and reported in 188 U. S. 31. He completely overlooks the more recent decision of the United States Supreme Court in the case of *Davis v. Davis,* 83 L. ed. 52, decided by the United States Supreme Court November 7, 1938. The opinion was written by Justice Butler, whose brother, Cooly Butler, obtained a Nevada divorce some years ago. The court, in an unanimous opinion, held that in an appearance divorce action that the determination of the trial court on the subject of residence is "effective for all purposes in this litigation" and further stated "considered in its entirety, the record shows that she submitted herself to the jurisdiction of the Virginia court and is bound by its determination that it had jurisdiction of the subject matter and of the parties." The holding is in effect that in an appearance decree in Nevada, the California courts will be compelled under the Federal Constitution to give full faith and credit to a Nevada decree.

Particularly is Mr. Tappaan open to criticism by reason of his citation of the cases, *People v. Hartman,* 62 P. 823, and *People v. Priestley,* 118 P. 965, in connection with his statement that a party to a Reno "divorce can not marry again without being a bigamist and thus being subject to prosecution under our criminal statutes."

JUNIOR BARRISTERS' SPRING FROLIC

The "Spring Frolic" will be held on Friday, May 26, at the Brentwood Country Club. The tickets will be $2.50 per person, and this tariff includes a steak or fish dinner, lots of entertainment, and all sports, with the exception of golf. There will be a $1.00 green fee for those wishing to play golf.

Chuck Church has charge of the golf tournament, and announces that there will be lots of prizes. Chuck is also in charge of publicity and announcements.

Joe Wheeler is in charge of the baseball games and expects to organize teams from the various schools, and Joe would appreciate an indication from the members as to their desires respecting the ball game.

Les Tupper has charge of arranging the location and also of the supplying of the refreshments. He guarantees that there will be plenty for all.

Wally Trau will provide the entertainment, and promises that it will be the best the "Barristers" have ever had.

Cal Helgoe has charge of the ticket distribution, and will arrange to have a number of them left at the Bar Association office in order that anyone desiring to sell them may obtain all that are needed.

LEGAL TRAINING AND ACCOUNTANCY LAW

By Edward Harton, of the Los Angeles Bar

JEAN BAPTISTE COLBERT, the great French comptroller general of finance during the reign of Louis XIV once remarked that "accountancy is the very essence of government."

Local, state, and federal agencies have in recent years so increased their demands on business that accountancy has become more and more important in private business as well as in government. It is indeed an extremely important cog in the wheels of big business.

The lawyer is not considerably concerned with the principles and practices of accountancy, though he should have some knowledge of them. Just as he resists encroachments upon the domain of his profession by administrative boards and by banks, trust companies and other incorporated bodies, so he respects the views of the accounting profession that its realm not be invaded by the legal practitioner, The Law of Accountancy, however, as distinguished from its principles and practices, should be of very real and vital concern to the lawyer if he is to cope with the many complex problems arising in a rapidly changing social order.

Rules of accounting have become and are becoming rules of law in the fields of business organization, trusts and estates, and taxation. Then, too, the many returns required, such as Income Tax, Sales Tax, Unemployment Insurance, Old-Age Pensions and the like are all legal requirements imposed upon business and the lawyer no longer merely should know about them but must be familiar with them if he is to properly discharge his duty to society.

It has been said so many times it has almost become trite that we are living in a transition period, that a new economic order is just around the corner. Be this as it may, it certainly is a fact that our structure of taxation is ever becoming broader and more complex. Social Security legislation, both state and national, is only one illustration of laws that bring to the lawyer problems which would be much less complex were his training a little more liberal, a little more in line with the public function he should serve in the community.

The question naturally arises, is anything being done in the educational field along these lines? Of the 64 schools that are members of the Association of American Law Schools, 58 of them do not require separate courses of non-legal content. Four do. Among the latter is Drake, which requires "Legal Accounting and Taxation." Drake would certainly seem to be on the right track. Accounting is listed by three schools as an elective. Accountancy Law has been added to the curriculum, that is, has been made an elective course, at Columbia Law School only in the last few years.

Courses of non-legal content are in the experimental stage, but are most likely to receive more and more consideration because of practical necessity. As Dean Fraser of Minnesota stated in referring to the fact that non-legal material has been consciously included in the law course at his school: "We wish to provide cultural development within the law curriculum itself, and to instill in the student an appreciation of the *public* function that the lawyer should serve in the community." Dean Dobie of Virginia has also included non-legal material in his curriculum at Charlottesville "to make clear the problems which have confronted and are confronting legislative, administrative and judicial bodies, and the considerations which have contributed to the treatment those problems have received."

It would be a fine thing, a real service to a great profession, if—

(a) the Los Angeles Bar Association in its educational campaigns would include in its lecture courses for young lawyers legal material in the field of business accounting;

(b) more law schools would make the Law of Accounting an elective course in their curriculums;

(c) the Junior Barrister organizations would at times select as speakers before their respective groups those who are both lawyers and accountants, to give to the new members of the bar the benefit of their peculiar experiences.

"We sow the golden grain to-day,
The harvest comes to-morrow."

IS THE BAR WINNING PUBLIC FAVOR?

By Frank G. Tyrrell, Judge of the Municipal Court

WHO does not like to be popular? Individuals and groups everywhere covet popularity. But we are confronted with the ominous fact that the human race is not popular with itself! No wonder Horace Greely said, "Fame is a vapor, popularity an accident, riches take wings; those who cheer today will curse tomorrow. Only one thing endures,—character." The bar has done and is doing much in the way of definite social service that should bring public favor,—if only the public could find the time to study and appraise it. But my thesis is that there is still a wide area of endeavor in which the bar can work its way effectively into increased public esteem.

Not only are public esteem and confidence sometimes withheld, but there are many indications of deep distrust and inveterate dislike. Why? and what can we do to remove them? Without any more machinery of organization, without the expenditure of money, without new rules or new legislation, I believe the bar can steadily rise in public favor. It is important that we should do so. It will give us a finer morale; it will improve business; it will multiply clients, satisfied clients; it will enable the bar to be more useful to the community. And it will educate the public themselves to a juster appraisal of the bar as a social factor and force.

Improved efficiency; better practice and procedure by lawyers and judges who are earnestly striving toward their high ideals, and making daily progress, will cost nothing but sustained industry and self-discipline. No machinery of reform need be set up; no

charter framed, no law or ordinance enacted. It is necessary only for each of us to practice what everybody preaches,—self-control, industry, courtesy, honesty, and a love of our fellow-men. We know that the law is a means of social control; that it finds its sole justification in its function, namely, the promotion of the general welfare. Let us see to it that it does not miscarry.

We can do more than we are doing to avoid litigation. This takes us into the lawyer's office, where the prospective client is welcomed as a possible contributor to the lawyer's financial well being! But remember, this is always secondary, never primary. We are members of a profession, and our primary and continuing obligation is service; and mark you, service to the community and the nation, as well as to the individual client. Now this prospect may or may not have made up his mind to bring suit; or his adversary may not have decided yet to sue him. Now is the opportunity for the lawyer to play the great role of pacificator and conciliator. He knows that in much litigation, the client loses even when he wins; that a large percentage of judgments are never collected. Let him act according to his best knowledge and his highest instincts. The avoidance of litigation is a distinct public service.

But if he must enter the forensic arena, there are still ways in which he can improve his service. He can studiously avoid a pleading which misleads or fails to disclose the facts on which he relies. For instance, a mere general and specific denial of the averments of the complaint carries no information whatever to his opponent or the court. The lawyer is not a money-grubber, not a mere sportsman engaged in a game of skill; he is a minister of justice. Let him bear himself accordingly, and avoid concealment, evasion, and trickery as he would bodily filth.

And now when we are in court, and the case is on trial, how should we behave? The business should be dispatched with celerity. The sooner you can get out of court and about other affairs, the better for you and your client. We shall assume thorough, painstaking preparation, of both facts and law. (Is the assumption baseless?) In trial tactics, the lawyer puts his learning and skill on exhibition,—or shows that he lacks both. The trial is slowed down often by descending to unnecessary minutiae in the details of evidence; by futile and needless objections; by long-winded arguments on the admissibility of evidence; by fishing; by brow-beating. The futility of objections is often apparent when the answer is given; it neither helps nor hurts; it was a foolish and unnecessary question.

If we can save a client's time, that is second only to saving his money, if indeed it is second. Saving the court's time is saving the taxpayers' money; that is forevermore "a consummation devoutely to be wished," especially in these days when there are the rumbles of an approaching storm of a tax strike!

Promptness in attendance on court sessions is surely an ordinary virtue, but are we always prompt? The time lost at the beginning of a session, five, ten, fifteen minutes, seems to have an unholy propensity to accumulate against us as we go on. Much more could be said on this topic; enough, to present the general idea. It is really little if anything more than the suggestion that we can all be much more efficient than we ever have been, remembering that our efficiency is that of a learned profession engaged in service looking to human weal.

INSTRUCTIONS ON WEIGHING HEARSAY EVIDENCE

E. W. Camp, of the Los Angeles Bar

REPEATEDLY it has been held in California that where hearsay is introduced without objection, the question of its competency cannot be considered upon a specification that the evidence was insufficient to support the verdict.[1] The same rule, of course, applies where testimony which is in law hearsay has been introduced as part of the *res gestae* without objection.[2]

In England, down to about 1600, hearsay was admitted and usable, not of itself sufficient to establish facts, but good to confirm other evidence.[3] So it is held in North Carolina that hearsay has some probative force, but is not sufficient of itself to support a finding.[4] And Chief Justices Hughes is of the same opinion.[5] Even more emphatically the Supreme Court of California has declared the same doctrine.[6] In most of the States such testimony so admitted is allowed some weight.[7] It might be suggested that had objection been made admissible evidence might have been offered and that the absence of objection indicated that counsel knowing such evidence available withheld objection to the hearsay.

In some states, however, it is the rule that hearsay is no evidence and although not objected to has no probative force.[8]

Before a recent amendment to the Constitution of California was adopted trial courts might not comment on evidence or advise juries on the weight of evidence.[9] Certainly it must be not only the right but also the duty of a court to exert to the full a power conferred upon it for the due administration of the law.[10] Occasions for the exercise of the right or duty to comment on the weight to be accorded to hearsay will be infrequent. No such instance has been found in the reported California cases. There have been a few suggestive rulings in other jurisdictions.[11]

---

[1] *Williams v. Hawley,* 144 Cal. 97, 102; *Mercantile Trust Co. v. Union Oil Co.,* 176 Cal. 461: "It is well settled that incompetent evidence (hearsay) admitted without objection is to be regarded as sufficient to establish the fact." *Powers v. Board,* 216 Cal. 546, 552, and cases cited. In *Yule v. Miller,* 80 Cal. App. 609, 616, it is said that hearsay admitted without objection must be given as much weight *in reviewing the sufficiency of the evidence as* if it were competent.

[2] *Parsons v. Easton,* 184 Cal. 764, 769: "It must * * * be given as much weight in this court, *in reviewing the question of the sufficiency of the evidence,* as if it were competent."

[3] *Wigmore on Evidence,* Sec. 1364, Subd. 3, p. 1687 (.... Edition).

[4] *Maley v. Thomasville, etc. Co.* (N. C.), 200 S. E. 438.

[5] "The statute provides that 'the rules of evidence prevailing in courts of law or equity shall not be controlling'. * * * This assurance of a desirable flexibility in administrative procedure does not go so far as to justify orders without a basis in evidence having rational probative force. Mere uncorroborated hearsay or rumor does not constitute substantial evidence."

[6]In *Englebretson v. Industrial Accident Commission,* 170 Cal. 793, hearsay was the only evidence of the finding of employment. The opinion states (p. 797): "The main reliance is upon the provision that the Commission shall not be bound by the technical rules of evidence, and upon the general effect of the act in prescribing an informal and expeditious method of procedure. We cannot agree to the proposition that the rule against the admission of hearsay evidence as proof of a fact is a mere technical rule of evidence. * * * Many considerations lead to the opposite conclusion to that contended for. * * * We have many decision of courts of the highest standing declaring the importance and substantial character of the rule against hearsay evidence."

[7]*Mahoney v. Harley, etc.,* 279 Mass. 96, 180 N. E. 723; *Somerall v. Bank,* 248 Ala. 501, 94 So. 476.

[8]*Eastlick v. So. Ry. Co.,* 116 Ga. 48, 42 S. E. 499; *Shaw v. McKenzie,* 131 Me. 248, 160 Atl. 911; *Sharp v. Baker,* 22 Tex. 306; *Ensley v. Pollard,* 56 Ga. App. 884, 194 S. E. 426, citing several Georgia cases; *U. S. Fid. etc. Co. v. Inman* (Tex. Civ. App.), 65 S. W. (2d) 339, 342, citing several Texas cases; *Holliday v. Wells,* in Kansas City Court of Appeals, 62 S. W. (2d) 318.

[9]Article VI, Sec. 19, as amended Nov. 6, 1934.

[10]*Boni judicis est ampliare jurisdictionem.*

[11]*State v. Dunn,* 53 Ore. 304, 99 Pac. 278, 281: The opinion indicates that where inadmissible hearsay is introduced without objection, the party against whom it is given may ask for instructions. *Vick v. State,* 112 Ark. 607, 165 S. W. 287: The opinion intimates that where inadmissible hearsay is in without objection, the party failing to object may move to have it struck out. This would seem to imply a right in the court to exercise the lesser power of cautioning the jury as to the weight of such evidence. *State v. Munson,* 35 La. Ann. 888, suggests that the court may instruct on weighing such evidence.

PENDING ADMINISTRATIVE LAW LEGISLATION

By Ernest S. Williams, of the Los Angeles Bar*

AN important measure, drafted by a committee of the American Bar Association, the subject matter of which is vitally important to all lawyers, is pending before the Congress. This "Administrative Law" bill is designed to curb some of the evils in the growth of the number and powers of administrative bodies, this growth being the natural and inevitable reflection of the increasing complexity of social and industrial conditions. Governmental agencies by the hundreds, representing an enormous expansion of the "executive power," are entering intimately into nearly all phases of private life and business, and, unregulated, these agencies bring us "absolutism" in government.

The purpose of this administrative law bill is to carry on through this period of transition and into the future our traditional principles of constitutional government, namely, full and public hearing, under established and known rules and regulations, and with a proper review of the decision or order before the constitutional courts

That courts sometimes encounter difficulties, when unfamiliar technical details are involved, and that the existence and operation of administrative agencies are justified in such instances, are well illustrated in two cases recently decided by the California Supreme Court. In the first case the defendant set up a defense of forgery and fraud. In these remarks I am not concerned with and make no reference to the merits of either case. I only point out the different treatment which the factual evidence in the two cases received.

*Digest of speech before L. A. Bar Association Luncheon Meeting.

Courts and lawyers have been dealing with forgery and fraud for a thousand years and they feel perfectly at home in dealing with such material. In the present instance the defendant contended that the evidence on behalf of the plaintiff was palpably and inherently improbable. The Supreme Court in an opinion of many pages dissected and analyzed the testimony and indicated quite clearly what it thought of the testimony, stopping short, however, of reversing the judgment on the ground of the insufficiency of the evidence. It possibly felt it *could* not do so in view of the unfortunate rule of appellate procedure prevailing in this state, as well as in some other states, namely, that where there is some substantial evidence in support of the finding of fact or the verdict the same cannot be set aside.

In the other case to which I refer, an oil drainage case, experts had been called on both sides. On appeal the defendant contended that from the standpoint of engineering its evidence was sound, in effect that the plaintiff's evidence was inherently improbable, and that therefore the error of the judgment was demonstrated as a matter of law. The court recited the evidence but apparently had no conviction of its own of the intrinsic worth of the evidence, as it appears to have had in the former case. The court remarked that it was non-expert in the science of petroleum geology, and concluded that the evidence was in a state of conflict and that the jury had found in favor of the plaintiff. The judgment was affirmed. Thus it would seem that a jury of twelve men and women drawn from the ordinary pursuits of life decided the facts of this highly technical case and that the skill and intelligence of the court did not contribute to the weighing and the determination of these facts. This illustration is given in no spirit of criticism but merely to indicate the disadvantage of the constitutional courts when engaged in a field of unfamiliar technicality, a field, however, which may be quite familiar to an administrative agency.

THE BILL

The administrative law bill has three main objectives: First, to provide for the formulation of a definite body of rules and regulations within the administrative agency which will implement the statute under which it is organized (a familiar example are the rules and regulations of the Internal Revenue Department); secondly, to provide for intra-departmental tribunals for the hearing of the controversy in the first instance; and thirdly, to provide for judicial review before the constitutional courts.

A brief resume of the proposed bill by sections will serve to explain how these main objectives are to be reached.

Section 1 of the bill provides primarily for the issuance by the administrative agency of rules and regulations applying to the administration of the particular phases of governmental control under its supervision. Persons affected by these rules and regulations may petition for a reconsideration thereof by the administrative agency at a public hearing. These rules and regulations, all amendments thereto, and the results of all reconsiderations, are to be published in the Federal Register.

Section 2 provides for a judicial review by the United States Court of Appeals for the District of Columbia of any rule or regulation upon a petition filed within thirty days after the date any such administrative rule or regulation is published in the Federal Register. A copy of any such petition must be served upon the United States Attorney General who shall conduct the defense of the rule or regulation. The court's decision is a declaratory judgment to the effect that the rule or regulation is either valid or invalid. The validity or invalidity of any rule or regulation also may be raised in any individual proceeding pending before the constitutional courts on the review of an administrative decision or order.

Under the provisions of *Section 3*, trial boards are appointed which hear controversies initiated within the respective administrative agencies. Three employees of the agency, one a lawyer who acts as chairman, constitute such a board, and no employee is eligible to sit on a board hearing a particular case where said employee participated either in the preparation of said case or in the promulgation of the rule or regulation sought to be applied by the administrative agency. These boards hear the initial controversies respecting

acts or decisions of the agency, and the hearing before the board is conducted in much the same manner and along much the same lines as the conduct of a trial in the constitutional courts. We find in the section ample provision for the subpoenaing of witnesses, the requirement of the production of documentary evidence, and the providing, subject to the final approval of the agency, of full findings of fact and a decision based thereon, together with a full transcript of the record.

Where in a controversy the delay incident to the hearing and decision would create a public emergency, and where the administrative agency, in such case, acts without prior hearing and decision to the damage of the property of the aggrieved person, the findings of fact and decision, when later made, shall state the amount of pecuniary damage suffered by the aggrieved person and, upon approval thereof by the head of the agency, the amount of damages so approved (if acceptable to the aggrieved person) shall be certified to the Congress for an appropriation to pay the same. There are also appropriate provisions in this section for proceedings by or before the trial examiner of an *"independent agency."*

Section 4 is undoubtedly the most important provision of the bill. It provides for a judicial review, before the United States Circuit Court of Appeals (which includes the United States Court of Appeals for the District of Columbia) of the decision or order of the administrative agency. The appeal is taken within thirty days either to the Court of Appeals for the District of Columbia, or to the Circuit Court of Appeals within whose jurisdiction the aggrieved party resides or maintains his or its principal place of business, or within which the controversy arose. Before taking the appeal the aggrieved party, within ten days of the date of the decision of the administrative agency, may move for a rehearing before said agency and may tender to said agency a statement of any further showing to be made which will constitute a part of the record. The Attorney General of the United States shall be served with a copy of the petition on appeal and, within thirty days of said service shall cause an appearance to be made on behalf of the United States. The administrative agency, within thirty days (or such longer time as the appellate court may allow), shall prepare and file with the clerk of said court a full and accurate transcript of the entire record. The court may affirm or set aside the decision or order of the administrative agency, may order it to modify its decision or order, or may remand the case to the administrative agency for the taking of further evidence. No evidence not urged before the administrative agency shall be considered by the court unless the failure to urge such objection for good cause shall be excused by the court.

ANALYSIS

It is significant that, in a constitutional court, the private citizen may raise the question of the validity of the findings of the administrative agency and that the judicial review is made effective over the findings of fact of said agency. Without that right of the appellate court relative to the findings of fact the allowance of an appeal in innumerable instances would be but a gesture.

As originally drafted, the wording of this section of the administrative agency bill followed somewhat that of Rule 52 of the new Federal Rules of Civil Procedure. Those of the Bar who have followed the course of the preparation and drafting of the new rules of procedure know that Rule 52 was one of those rules most carefully considered and thoroughly studied. Formerly in a Federal law case, tried without a jury, the findings of the court could not be set aside if there was substantial evidence to support them while, on the other hand, in Federal equity suits the findings and the evidence could be examined, on appeal, and the findings set aside if in the judgment of the appellate court they were erroneous. After much thought and consideration, this equity rule was incorporated into the new Federal Rules of Civil Procedure as Rule 52.

From the history and wording of this Rule 52 it is apparent that the appellate court, in examining the record, is not confined to a mere consideration of whether there is a substantial conflict in the evidence. In the appellate court the question is not whether there is any substantial evidence to support the findings, but whether the weight of the evidence is clearly against the findings. It is, and should be, the duty of the appellate court to set aside the findings of fact if said court, after an examination of the whole record and in the exercise of a sound judgment, deems the findings erroneous.

The importance of this point of procedure just discussed is not to be minimized or overlooked in connection with such appeals to a constitutional court from a decision or an order of an administrative agency as are provided by Section 4 of the bill under discussion. Upon a consideration of the original draft of Section 4, the House of Dele-

gates, fearing that the section might be construed in effect to mean that, if there was substantial evidence in the record to support the findings of fact, the decision or order of the administrative agency could not be set aside by the appellate court, recast this provision of the bill in the affirmative form so that it reads as follows:

> "Any decision or order of any agency or independent agency shall be set aside if it is made to appear (1) that the findings of fact are clearly erroneous, or (2) that the findings of fact are not supported by substantial evidence."

The incorporation, into a section already containing five *separately numbered* "grounds," of these two additional grounds upon which the court might set aside the decision or order of the administrative agency makes it apparent that each of the seven grounds is separate and distinct from the others.

It is well to note, in passing, that the judgments of the Circuit Court of Appeals, upon appeals from administrative agencies, are made subject to review by the Supreme Court on *certiorari*.

If the controversy is one otherwise within the jurisdiction of the United States Court of Claims, the review may be had before that court.

The remedies thus afforded by the bill are made expressly alternative to, and not in derogation of, other rights or remedies which a litigant might have in or before any district or other court of the United States.

The following matters and offices are expressly excepted from the operation of the bill as a whole: The conduct of foreign affairs; the conduct of military or naval operations in time of war or civil insurrection; trials by courts-martial; the conduct of the Department of Justice and the offices of the United States Attorneys; matters relating to Internal Revenue, customs, patents, trademarks, copyrights, Longshoremen and Harbor Workers' laws, and Indian lands; denials of a loan to any person; dissatisfaction of any person with a grading service in connection with the purchase or sale of agricultural products; the failure of any person to receive an appointment to, or employment by, any administrative agency; the Federal Reserve Board; the Office of the Comptroller of the Currency; the Federal Deposit Insurance Corporation; the Interstate Commerce Commission; and (with respect to Sections 1 and 2 of the bill, relating to the formulation of rules and regulations) the General Accounting Office.

If any reader is convinced, either by the subject matter of this digest or by further independent study, that the administrative agency bill is sound, it is hoped that he will write to one or more of the California Senators and Representatives in Washington urging that they give this measure their favorable consideration.

UNAUTHORIZED PRACTICE NEWS

New York: Another case condemning the lawyer who aids unlawful practice of the law, is the recent case of "In the matter of Paul E Tuthill, an attorney," before the Supreme Court, Appellate Division, First department, April, 1939, New York.

Tuthill was found to have aided in unlawful practices of a corporation known as Transatlantic Estates & Credit Company, Inc., upon an investigation being made of the activities of the corporation, in New York. In 1930, the corporation was dissolved in New York, and reorganized in New Jersey, the respondent aiding in all of its work when the corporation continued its unlawful activities in New York State, Tuthill continuing to reside in New York City.

The Court found that the sole business of the corporation was searching out and procuring claims, furnishing counsel and legal advice and that such activities constituted the unlawful practice of the law. The respondent was disbarred.

Pennsylvania: A consent decree was recently entered in the Pittsburgh, Pennsylvania courts wherein the Union Trust Company of Pittsburgh was ordered to cease and discontinue the practice of procuring an attorney and furnishing the services of an attorney at its banking house.

Ohio: In the case of Collacott Realty Inc., versus John Homuth, Municipal Court of Cleveland, Judge Lillian Westropp denied the claim of the realty company for services alleged to have been performed, on the grounds that a portion of the servics furnished by the realty company were the practices of the law, and constituted the unauthorized practice of the law by a corporation.

Michigan: One Frank Sevedin was found guilty of contempt of court by the Circuit Court of Wayne County, Michigan, in case No. 64,503, wherein the respondent was found to have been acting as a "runner" for an attorney; occupying space in the attorney's office, paying no rental therefor, except that of procuring law business for the attorney.

Explanation: In a very comprehensive pamphlet recently issued by the Corporation Trust Company, an answer is made to the question of "Why must I have a lawyer?" The pamphlet explains why it is to the best interest of business organizations that they have an attorney, stating among other things that "safe and efficient statutory representation therefore, is that which provides a business organization for the business details, working hand in hand with the company's own lawyer for their proper application" and that no one but a lawyer is fit to make such applications.

National: After much work and conferring, it has been agreed by the A. B. A. Committee on the unauthorized practice of the law with the Committee on Realtors Legal Rights of the National Association of Real Estate Boards, that when a lawyer has a complaint on a real estate agent, he will report the same to the A. B. A. Committee, and that when realtors have complaints on attorneys they will report the same to their committee. In order to assist the two groups in arriving at some definite statement, local association and committees have been urged to comply.

Illinois: The Illinois committee on Unauthorized Practice of the Law announce the publication of a manual of forms to guide local bar associations in compaigns against unauthorized practice.

California: The California Supreme Court refused to take jurisdiction in the recent test case on collection agencies filed by a group of San Francisco attorneys, holding that the case would have to start in the trial court and work its way up in due course.

Minnesota: On January 9, 1939, Albert H. Bartholomaei doing business as the Lyndale Loan Company of Minneapolis, Minnesota, was found guilty of contempt of court and fined $100.00 and costs for having used a threat of garnishment which closely resembled a legal process.

NEW YORK BAR PROCTOR'S REPORT ON UNAUTHORIZED PRACTICE

IN a very comprehensive manner, Mr. Karl A. McCormick, Proctor of the Bar of the Eighth Judicial District of New York in his second annual report to the Court, among other things shows the progress being made in the campaign against the Unauthorized Practice of the Law, with the number of complaints investigated and action taken.

That during the year the complaints were as follows:

Against collection agencies	28
Against real estate dealers	8
Against insurance agents	5
Against banks	3
Against insurance companies and claim adjusters	4
Against notary publics	4
Against justices of the peace	4
Against employees of public offices	3
Against unclassified agencies	8
For simulating court process	12
Total	79

With the following results:

Agreeing to stop practices complained of	75
Closed out business	4

The report closed with the following:

"It has been the policy of the office to accept an agreement from the party complained against, to discontinue the objectionable practice together with the making of restitution where known damage has been done to members of the public.

The whole field of unauthorized practice requires the watchfulness of every member of the Bar and the report to the office of evidence of violations of the law.

Progress has been made in the prevention of damage to the public by those who unlawfully assume to perform the services that a lawyer is licensed to render. It is a continuous matter and requires education of the public with regard to the dangers involved by those who permit the unqualified to serve them.

Much educational work is being done by the Bar in certain localities. In Erie County, the Bar Association and the office are doing all that they can under the circumstances. Efforts are being made to have the American Bar Association sponsor national advertising, through the radio and press, which will be in the nature of preventive legal advice to the public.

While the subject of unauthorized practice of the law is comparatively new in New York State, in many other states, it has been engaging the attention of the courts and the Bar for many years. A valuable book recently published by Mr. George E. Brand of Detroit, entitled 'Unauthorized Practice Decisions,' contains many hundreds of decisions throughout the country and new cases are being determined almost every week in some jurisdictions. The trend of nearly all of these decisions is toward the protection of the public by prohibiting those who are unauthorized and unlicensed to serve the citizens in lieu of licensed attorneys.

The very active Committee on Unauthorized Practice of the American Bar Association devotes a great deal of effective work to this subject. Stated meetings are held at frequent intervals, in various parts of the country. Through negotiation with representatives of various groups, principles are being worked out and understandings are arrived at, which will have great value to the public."

POMONA VALLEY BAR ELECTS NEW OFFICERS

LANCE D. SMITH, of Puente, is the new president of Pomona Valley Bar Association, he and other officers for the coming year having been elected at Thursday night's dinner meeting of the association when speaker of the evening was Paul Vallee, Los Angeles, president of the State Bar of California. The meeting was at Madding's Dixie tavern.

Besides Mr. Smith, the newly elected officers are Charles R. Stead, Pomona, first vice-president; Seth Colver, Covina, second vice-president; Gerald Sanford, Claremont, Albert Miller, Azusa, Turner M. Garr, Pomona, trustees; Hyman Bradofsky, Pomona, Secretary-treasurer.

Mr. Vallee discussed benefits of the bar association to the practicing attorney and to the public in general. He also discussed some of the problems in which both are deeply interested.

In speaking of functions of the association, he referred to restrictions imposed upon those who enter the practice of law, to disciplining of attorneys who forget their oath, and to aid in improvements looking to administration of justice.

The association functions largely through committees, Mr. Vallee stated. He outlined the committees and work they are doing. He also emphasized the value of preventive work that can be done.

Lawyers should be consulted to plan ways of avoiding trouble, Mr. Vallee added. He urged that the profession educate the public relative to the many worthwhile programs through which the profession hopes to aid the public.

The Pomona valley attorneys and various others, including Claude Minard, secretary of the state bar, were guests of the trust department of the First National Bank of Pomona. Charles A. Steadman was presented and welcomed the group as trust officer of the bank. A sumptuous chicken dinner was served.

Articles Wanted!

The Bulletin Committee invites members to offer suggestions, and make criticisms, for the betterment of your monthly publication. Most of all we want contributions of articles by members on subjects of interest and assistance to others in practice. Every lawyer is capable of writing articles on some technical subject, arising out of his own practice experience. Won't you submit such material to the Committee? Send communications to the Bar Association office, 1124 Rowan Bldg.

The Bulletin Committee.

A Request to Members of the Los Angeles Bar Association:

THE PROGRAM COMMITTEE desires to make the monthly meetings of the members both instructive and entertaining. It will make every effort to procure speakers of prominence and ability to discuss subjects of the greatest interest to lawyers.

Should any member of the Association have knowledge of the anticipated visit to Los Angeles of someone of national or state prominence, who might be available as speaker at a monthly meeting, it will be appreciated if he will promptly call the chairman of the Program Committee.

The active co-operation of members in this respect will greatly assist the Committee in its efforts to make the monthly meetings of increasing benefit to all members of the Bar of this county.

GEORGE M. BRESLIN,
Chairman, Program Committee.
Citizens National Bank Bldg.

Telephone,
MUtual 3151.

LETIN

at
the
AL

RTS

RT

bli-
rm,
rge.

way
6354